

REMARKS

This responds to the Office Action dated May 15, 2007.

No claims are amended, no claims are canceled, and claim 36 is added; as a result, claims 1-36 remain pending in this application, of which claims 30-32 are withdrawn.

Claim 36 is based on claim 20.

§102 Rejection of the Claims

Claims 1, 3, 4, 8, 12, 13, 21-24, 26, 28, and 29 were rejected under 35 USC § 102(e) as being anticipated by Tabatabaei (U.S. 6,784,740).

Applicant respectfully traverses the rejection and submits that *prima facie* anticipation has not been established. Applicant is unable to find, in Tabatabaei, a disclosure of all elements recited in the claims. For example, Applicant is unable to find a disclosure of a first reference potential, as recited or similarly incorporated in each of these claims. Page 2 of the Office Action refers to selected portions of Tabatabaei however none of these portions of the cited document appear to disclose a first reference potential. As another example, Applicant is unable to find a disclosure of a second reference potential, as recited or similarly incorporated in claims 1, 3, 4, 8, 12, 13, 21-24, and 29. Page 3 of the Office Action refers to selected portions of Tabatabaei however none of these portions of the cited document appear to disclose a second reference potential.

Accordingly, Applicant respectfully requests withdrawal of this rejection.

§103 Rejection of the Claims

Claims 7, 11, 14, 15, 18, and 19 were rejected under 35 USC § 103(a) as being unpatentable over Tabatabaei (U.S. 6,784,740).

Applicant respectfully traverses this rejection on the grounds that no *prima facie* case of obviousness presently exists with respect to these claims because all elements are not present in Tabatabaei for the reasons discussed above with respect to the § 102 rejection.

Accordingly, Applicant respectfully requests withdrawal of this rejection.

Claim 5 was rejected under 35 USC § 103(a) as being unpatentable over Tabatabaei (U.S. 6,784,740) in view of Buchanan et al. (U.S. 4,550,342).

Applicant respectfully traverses this rejection on the grounds that no *prima facie* case of obviousness presently exists with respect to these claims because all elements are not present in Tabatabaei for the reasons discussed above with respect to the § 102 rejection. The proposed addition of Buchanan to Tabatabaei does not appear to cure the shortcomings noted above.

Accordingly, Applicant respectfully requests withdrawal of this rejection.

Claims 6, 9, 10, 16, and 17 were rejected under 35 USC § 103(a) as being unpatentable over Tabatabaei (U.S. 6,784,740) in view of Takahashi et al. (U.S. 2003/0128558).

Applicant respectfully traverses this rejection on the grounds that no *prima facie* case of obviousness presently exists with respect to these claims because all elements are not present in Tabatabaei for the reasons discussed above with respect to the § 102 rejection. The proposed addition of Takahashi to Tabatabaei does not appear to cure the shortcomings noted above.

Accordingly, Applicant respectfully requests withdrawal of this rejection.

Claims 2, 25, and 27 were rejected under 35 USC § 103(a) as being unpatentable over Tabatabaei (U.S. 6,784,740) in view of Khorram et al. (U.S. 2004/0190650) and further in view of Karsh et al. (U.S. 4,641,324).

Applicant respectfully traverses this rejection on the grounds that no *prima facie* case of obviousness presently exists with respect to these claims because all elements are not present in Tabatabaei for the reasons discussed above with respect to the § 102 rejection. The proposed addition of Khorram and Karsh to Tabatabaei does not appear to cure the shortcomings noted above.

Accordingly, Applicant respectfully requests withdrawal of this rejection.

Claims 33-35 were rejected under 35 USC § 103(a) as being unpatentable over Tabatabaei (U.S. 6,784,740) in view of Chen et al. (U.S. 6,691,203).

Applicant respectfully traverses this rejection on the grounds that no *prima facie* case of obviousness presently exists with respect to these claims because all elements are not present in

Tabatabaei for the reasons discussed above with respect to the § 102 rejection. The proposed addition of Chen to Tabatabaei does not appear to cure the shortcomings noted above.

Accordingly, Applicant respectfully requests withdrawal of this rejection.

Allowable Subject Matter

Claim 20 was objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

New claim 36 is based on claim 20 and is believed to be in condition for allowance.

RESERVATION OF RIGHTS

In the interest of clarity and brevity, Applicant may not have equally addressed every assertion made in the Office Action, however this does not constitute any admission or acquiescence. Applicant reserves all rights not exercised in connection with this response, such as the right to challenge or rebut any tacit or explicit characterization of any reference or of any of the present claims, the right to challenge or rebut any asserted factual or legal basis of any of the rejections, the right to swear behind any cited reference such as provided under 37 C.F.R. § 1.131 or otherwise, or the right to assert co-ownership of any cited reference. Applicant does not admit that any of the cited references or any other references of record are relevant to the present claims, or that they constitute prior art. To the extent that any rejection or assertion is based upon the Examiner's personal knowledge, rather than any objective evidence of record as manifested by a cited prior art reference, Applicant timely objects to such reliance on Official Notice, and reserves all rights to request that the Examiner provide a reference or affidavit in support of such assertion, as required by MPEP § 2144.03. Applicant reserves all rights to pursue any cancelled claims in a subsequent patent application claiming the benefit of priority of the present patent application, and to request rejoinder of any withdrawn claim, as required by MPEP § 821.04.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney ((612) 373-6911) to facilitate prosecution of this application.

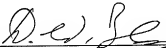
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Respectfully submitted,

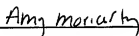
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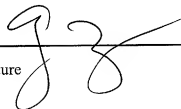
By their Representatives,
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Date August 15, 2007

By 
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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 15th day of August 2007.


Name


Signature